

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONNELL DEMON JACKSON,

Defendant.

Case No. 11-20493

Honorable John Corbett O'Meara

**ORDER DENYING
DEFENDANT'S MOTION FOR RECONSIDERATION**

This matter came before the court on defendant Donnell Demon Jackson's January 30, 2014 motion for reconsideration of the court's November 19, 2013 order denying Jackson's motion to withdraw his guilty plea. No response was filed and no oral argument was heard.

Defendant's motion for reconsideration is untimely. Pursuant to Local Rule 7.1(h), a motion for reconsideration *must be filed* within 14 days of entry of the judgment or order. LR 7.1(h)(1) (emphasis added).

Even if the court were to consider defendant Jackson's motion, Defendant has failed to present grounds for granting the motion.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(h)(3).

Almost all of defendant Jackson's motion for reconsideration "merely present[s] the same issues ruled upon by the court, either expressly or by reasonable implication." The only possible "defect" in the court's previous order was the allegedly "erroneous assumption that Jackson himself had received the discovery in May 2013." Def's mot. at 2. However, even if the court erred in that assumption, "correcting the defect" would not "result in a different disposition of the case."

ORDER

Therefore, it is hereby **ORDERED** that defendant Donnell Demon Jackson's January 30, 2014 motion for reconsideration is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: February 13, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, February 13, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager